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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION FIVE

CHENG CHENG SU,

Plaintiff and Appellant,

A097545

v.

**(Alameda County
Super. Ct. No. 832150-1)**

DENNIS JANSON,

Defendant and Respondent.

_____/

Cheng Cheng Su appeals contending the trial court erred when it rejected her civil suit seeking damages. We disagree and will affirm the judgment.

I. FACTUAL AND PROCEDURAL BACKGROUND

Appellant has not provided a reporter's transcript, so the factual basis for this dispute is unclear. As best as we can tell, appellant lives in a condominium complex in Berkeley. Respondent Dennis Janson apparently managed the complex.

In October 2000, appellant filed a complaint against Janson in the Alameda County Superior Court. As is relevant here, the complaint contained three allegations. First, appellant alleged Janson had breached the "implied warranty of habitability" in 1995 by turning off the water to her unit so he could repair a faucet. Second, appellant claimed Janson had committed fraud because he failed to credit her account for amounts she had paid in homeowner fees. Third, appellant alleged Janson had intentionally inflicted emotional distress by failing to keep the area in front of her unit clean.

The case proceeded to a court trial before the Honorable Peter Smith. After both parties had presented their evidence, Janson filed a motion for a nonsuit. Judge Smith granted the motion and signed a statement of decision explaining why he had done so. After the court entered judgment in favor of respondent, appellant filed the present appeal.

II. DISCUSSION

Appellant contends the judgment must be reversed. She quotes various portions of Judge Smith's statement of decision and then presents a brief argument about why that statement was legally faulty.¹

We reject all of appellant's arguments for the following four reasons.

First, appellant's arguments are unintelligible. "An appellate court is not required to examine undeveloped claims, nor to make arguments for parties." (*Paterno v. State of California* (1999) 74 Cal.App.4th 68, 106.)

Second, to the extent we can understand appellant's arguments, they are, in essence, a challenge to the sufficiency of the evidence to support Judge Smith's decision. However appellant has not provided this court with a reporter's transcript that would allow us to evaluate the claims she has made. Under well-settled legal authority, since appellant has not provided a reporter's transcript, she cannot challenge the sufficiency of the evidence on appeal. (*Estate of Fain* (1999) 75 Cal.App.4th 973, 992.)

Third, appellant has failed to cite legal authority to support the various arguments she has made. When a brief fails to contain a legal argument with citation of authorities,

¹ For example, one of appellant's arguments states, "Judge Smith failed to talk about Defendant harassing and defaming property owners' and Plaintiff's character. Therefore, they are [appealable]. Defendant continuously hired attorney to put the lien on the property . . . and filed the lawsuit against property owners without serving Summon and Complaint to property owners."

we may treat the arguments as waived or abandoned. (*Ellenberger v. Espinosa* (1994) 30 Cal.App.4th 943, 948.)²

Fourth, even if we were to conclude the trial court erred in some respect, we would not reverse. An appellant may not obtain a reversal simply by pointing out legal error. She must, in every case, show the claimed error is prejudicial; i.e. that it has resulted in a miscarriage of justice. (*In re Marriage of McLaughlin* (2000) 82 Cal.App.4th 327, 337.) Here, appellant has failed to show how any of the various errors she has alleged caused her prejudice. Absent such argument, we must presume the various errors were harmless.

III. DISPOSITION

The judgment is affirmed.

Jones, P.J.

We concur:

Stevens, J.

Gemello, J.

² Appellant's brief contains a few scattered legal citations. Appellant has not, however, made any attempt to explain the relevance of the authority she cites or how that authority might support the legal arguments she makes. We conclude the waiver rule is fully applicable here.